



Health Services
LOS ANGELES COUNTY

March 13, 2007

**Los Angeles County
Board of Supervisors**

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**REQUEST TO ACCEPT COMPROMISE OFFERS OF SETTLEMENT
(ALL DISTRICTS AFFECTED - 3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Authorize the Director of Health Services or his designee to accept the attached offers of compromise, pursuant to Section 1473 of the Health and Safety Code, to settle the following individual accounts for patients who received medical care at non-County facilities under the Trauma Center Service Agreement:

(1)	Account Number EMS 98	\$16,666
(2)	Account Number EMS 103	\$15,000
(3)	Account Number 95	\$12,000
(4)	Account Number IH1	\$11,000
(5)	Account Number EMS 92	\$6,300
(6)	Account Number EMS 97	\$3,800
(7)	Account Number IH4	\$3,500

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The compromise offers of settlement for patient accounts (1) – (7) are recommended because the patients are unable to pay the full amount of charges and the compromise offers represent the maximum amount the Department will be able to receive under the tort settlements involved in these cases.

The County has entered in a number of agreements with non-County medical facilities under which it pays for trauma care provided to eligible indigent patients at those facilities. This agreement allows the County, after it has made payment for a particular patient, to pursue recovery from third parties, who are financially responsible for such trauma care.

The best interests of the County would be served by the approval of these compromises since it will enable DHS to maximize net recovery on these accounts.

Implementation of Strategic Plan Goal:

The recommended action will satisfy County Strategic Plan Goal #4, Fiscal Responsibility.

FISCAL IMPACT/FINANCING:

This will expedite the County's recovery of trauma funds totaling \$68,266.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

On January 8, 2002 the Board approved an ordinance granting the Director of Health Services (Director) authority to reduce patient account liabilities when it is in the best interest of the County to do so. The ordinance was adopted by the Board on January 15, 2002.

On November 1, 2005, the Board approved a revised ordinance granting the Director authority to reduce, on an account specific basis, the amount of any liability owed to the County which relates to medical care provided by third parties for which the County is contractually obligated to pay, and related to which the County has subrogation or reimbursement rights. The revised ordinance was adopted by the Board on December 8, 2005.

Under County Code Chapter Section 2.76.046, the Director has the authority to reduce patient account liabilities by the greater of i) \$15,000, or ii) \$75,000 or 50% of the account balance, whichever is less. Any reduction exceeding the Director's authority requires Board approval.

The compromise of these accounts is not within the Director's authority, so the Director is requesting Board approval of these compromises.

CONTRACTING PROCESS:

Not applicable.

IMPACT ON CURRENT SERVICES (OR PROJECTS):

All payments received will replenish the Los Angeles County Trauma Fund.

When approved, DHS requires three signed copies of the Board's action.

Respectfully submitted,



Bruce A. Chernof, M.D.
Director and Chief Medical Officer

BAC:cm
(FICOMPROMISEBOLTTREDSLETTER)

Attachments

- c. Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 1
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$165,469	Account Number	EMS 98
Amount Paid to Providing Facility	\$30,107	Service Type	Inpatient
Compromise Amount Offered	*\$16,666	Date of Service	08/16/2003-09/02/2003
		% of Payment Recovered	55%

JUSTIFICATION

This patient was involved in an automobile versus automobile accident. As a result of the accident the patient was treated at Cedars Sinai Medical Center and incurred total inpatient charges of \$165,469 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$30,107. The patient's third-party claim has been settled for \$50,000 and his attorney is proposing the following disbursement of the proceeds:

Disbursement	Total Claim	Proposed Settlement	Percent of Settlement (\$50,000)
Attorney fees	\$23,500	\$20,000	40.00%
Attorney Cost	\$268	\$268	.53%
Los Angeles County	\$165,469	\$16,666	33.33%
Other Lien Holders	\$2,692	\$1,560	3.12%
Patient		\$11,505	23.02%
Total		\$50,000	100.00%

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 55% of the amount Los Angeles County paid to Cedars Sinai Medical Center from the Los Angeles County Trauma Fund. All payments received will replenish the Trauma Fund.

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 2
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$40,882	Account Number	EMS 103
Amount Paid to Providing Facility	\$10,700	Service Type	Inpatient
Compromise Amount Offered	*\$15,000	Date of Service	08/10/2005-08/12/2005
		% of Payment Recovered	140%

JUSTIFICATION

This patient was involved in an automobile versus automobile accident. As a result of this accident, the patient was treated at Huntington Memorial Hospital and incurred total inpatient charges of \$40,882 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$10,700. The patient's third-party claim has been settled for \$20,605 with the other party's insurance as follows:

Disbursement	Total Claim	Proposed Settlement	Percent of Settlement (\$20,605)
Los Angeles County	\$40,882	\$15,000	72.8%
Patient		\$5,605	27.2%
Total		\$20,605	100.00%

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 140% of the amount Los Angeles County paid to Huntington Memorial Hospital from the Los Angeles County Trauma Fund. All payments received will replenish the Trauma Fund.

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 3
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$154,128	Account Number	EMS 95
Amount Paid to Providing Facility	\$21,791	Service Type	Inpatient
Compromise Amount Offered	*\$12,000	Date of Service	02/15/04-02/26/04
		% of Payment Recovered	55%

JUSTIFICATION

This patient was treated at St. Francis Medical Center due to a fall while working at the defendant's residence. The patient expired as a result of the accident. The defendant did not carry any insurance; the attorney representing the patient's family obtained a personal judgment against the defendants. The defendants filed bankruptcy and placed some of the funds in the Bankruptcy Court to pay all expenses, including but not limited to, Trustee attorney fees, patient's family attorneys fees and costs and medical expenses.

As a result of the accident the patient was treated at St. Francis Medical Center and incurred total inpatient charges of \$154,128 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$21,791. The patient's third-party claim has been settled for \$140,000 and his attorney is proposing the following disbursement of the proceeds:

Disbursement	Total Claim	Proposed Settlement	Percent of Settlement (\$140,000)
Trustee's Attorney Fees	\$58,000	58,500	41.8%
Attorney fees	\$24,000	\$24,000	17.1%
Attorney Cost	\$7,227	\$7,227	5.2%
Funeral Expenses	\$3,554	\$3,554	2.5%
Los Angeles County	\$154,128	\$12,000	8.6%
Patient's Family		\$34,718	24.8%
Total		\$140,000	100.00%

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 55% of the amount Los Angeles County paid to Long Beach Memorial Hospital from

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 4
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$30,974	Account Number	IH1
Amount Paid to Providing Facility	\$9,828	Service Type	Inpatient
Compromise Amount Offered	*\$11,000	Date of Service	06/03/2003
		% of Payment Recovered	112%

JUSTIFICATION

This patient was involved in an automobile versus automobile accident. As a result of this accident, the patient was treated at Huntington Memorial Hospital and incurred total inpatient charges of \$30,974 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$9,828. The patient's third-party claim has been settled for \$50,000 and his attorney is proposing the following disbursement of the proceeds:

Disbursement	Total Claim	Proposed Settlement	Percent of Settlement (\$50,000)
Attorney fees	\$20,000	\$16,667	33.30%
Attorney Cost	\$434	\$0	8.35%
Los Angeles County	\$30,974	\$11,000	19.10%
Other Lien Holders	\$38,966	\$17,805	36.65%
Patient		\$4,529	2.60%
Total		\$50,000	100.00%

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 112% of the amount Los Angeles County paid to Huntington Memorial Hospital from the Los Angeles County Trauma Fund. All payments received will replenish the Trauma Fund.

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 5
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$138,088	Account Number	EMS 92
Amount Paid to Providing Facility	\$11,940	Service Type	Inpatient
Compromise Amount Offered	*\$6,300	Date of Service	12/11/2002-12/17/2002
		% of Payment Recovered	53%

JUSTIFICATION

The Medical treatment rendered to this patient by the provider is related to a workers compensation claim related injury. As a result of this accident, the patient was treated at Long Beach Memorial Medical Center and incurred total inpatient charges of \$138,088 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$11,940. The Worker's Compensation Board has offered \$6,300.00 to settle the claim according to the California Medical Review Fee Schedule.

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 53% of the amount Los Angeles County paid to Long Beach Memorial Medical Center from the Los Angeles County Trauma Fund. All payments received will replenish the Trauma Fund.

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 6
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$34,915	Account Number	EMS 97
Amount Paid to Providing Facility	\$13,200	Service Type	Inpatient
Compromise Amount Offered	*\$3,800	Date of Service	09/03/2005-09/06/2005
		% of Payment Recovered	29%

JUSTIFICATION

This patient was involved in an automobile versus automobile accident. As a result of this accident, the patient was treated at Huntington Memorial Hospital and incurred total inpatient charges of \$34,915 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$13,200. The patient's automobile insurance company issued a payment of \$3,800 which reflects the Med-Pay coverage of the policy.

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 29% of the amount Los Angeles County paid to Huntington Memorial Hospital from the Los Angeles County Trauma Fund. All payments received will replenish the Trauma Fund.

DATA FOR COMPROMISE SETTLEMENT**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES****TRANSMITTAL No. 7
DATE: March 13, 2007**

Total Charges (Providing Facility)	\$24,669	Account Number	EMS IH4
Amount Paid to Providing Facility	\$13,200	Service Type	Inpatient
Compromise Amount Offered	*\$3,500	Date of Service	10/01/04-10/04/04
		% of Payment Recovered	27%

JUSTIFICATION

This patient was involved in an automobile versus automobile accident. As a result of the accident the patient was treated at Long Beach Memorial Hospital and incurred total inpatient charges of \$24,669 for medical services rendered. The facility has received payment from the Los Angeles County Trauma Fund in the amount of \$13,200. The patient's third-party claim has been settled for \$15,000 and his attorney is proposing the following disbursement of the proceeds:

Disbursement	Total Claim	Proposed Settlement	Percent of Settlement (\$15,000)
Attorney fees	\$6,000	\$5,000	33.33%
Attorney Cost	\$2,829	\$2,829	18.86%
Los Angeles County	\$24,669	\$3,500	23.33%
Other Lien Holders	\$2,407	\$2,407	16.05%
Patient		\$1,264	8.43%
Total		\$15,000	100.00%

As stated in the Trauma Center Service Agreement, reimbursement to providers is for the hospital component of trauma services provided to eligible indigent patients.

* Represents 27% of the amount Los Angeles County paid to Long Beach Memorial Hospital from the Los Angeles County Trauma Fund. All payments received will replenish the Trauma Fund.